

REMARKS

The Office Action of September 8, 2005 has been received and considered. Claims 18-28 are pending. Claims 1-17 have been canceled. Claim 18 has been amended in non-limiting fashion to more clearly recite that it is a composite panel that is formed by the press. The phrase composite panel was previously incorporated in the preamble of claim 18. Reconsideration of the application in view of the foregoing amendments and following remarks is respectfully requested. Each of the Examiner's rejections is discussed below.

Section 103

Claims 18 and 19 have been rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 2,953,187 to Francis, Jr. ("Francis") in view of U.S. Patent No. 4,734,231 to Morita et al. ("Morita"). This rejection is respectfully traversed.

Francis discloses a fiber-mixing and fabricating apparatus used to mix adhesive and non-adhesive fibers to form textiles and the like.

Francis does not disclose or make obvious an apparatus for forming a composite panel having a press to apply heat and pressure to transform the mat into a composite panel, as required by independent claim 18. Francis has rollers 39, 40 and a heating cabinet 34 that works with a blower 37 to impart heat and pressure to a mat or web 31 of fibers on belt 30. The rollers 39, 40 do not transform the web 31 of fibers into a composite panel. Rather, the rollers 39, 40 of Francis are used merely to compact web 31 to decrease its thickness. (col. 8, lines 34-38.) In fact, in certain embodiments, rollers 39, 40 are spaced apart such that they "serve merely to assure confinement and contact of the web 31 between the belts in the heating zone without exerting substantial pressure thereon." (Col. 8, lines 43-45.)

Rollers 39, 40 and heating cabinet 34 simply do not function as a press to transform a mat into a composite panel. As described in the present specification, exemplary composite panels include oriented strand board (OSB), medium density fiberboard (MDF), wafer board, and particle board. The rollers and heating cabinet of Francis are not intended to, and simply cannot produce the required composite panel.

Further, one of skill in the art would have no motivation or suggestion to modify the rollers and heating cabinet of Francis into a press that applies heat and pressure to transform a mat of material into a composite panel. Francis is an invention that “relates to textiles and the like,” (col. 1, line 15) with a general object of its invention being “to provide a new process for making felts....” (col. 1, lines 56-57.) One skilled in the art of making textiles and felts would have no reason to look to convert the rollers and heating cabinet to a press to convert the mat of fibers disclosed in Francis into a composite panel.

Morita, which is cited as disclosing reservoirs for raw material for a fiberboard production apparatus, has no press and, therefore, also does not disclose or make obvious this required limitation. Accordingly, the rejection is improper and should be withdrawn.

Allowable Subject Matter

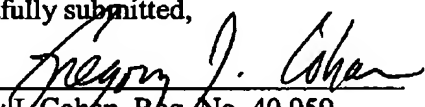
Applicant thanks the Examiner for the indication that Claims 24-28 have been allowed. Applicant also thanks the Examiner for the indication that Claims 20-23 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Since claim 18 is believed to be allowable, as discussed above, claims 20-23 are believed to be allowable as well.

Conclusion

In view of the foregoing amendments and remarks, pending claims 18-28 are believed to be allowable, and an indication to that effect from the Examiner is respectfully requested at this time. Please apply any required charges or credits to our Deposit Account No. 19-0733.

Dated: December 8, 2005

Respectfully submitted,



Gregory J. Cohan, Reg. No. 40,959
BANNER & WITCOFF, LTD.
28 State Street, 28th Floor
Boston, MA 02109
(617) 720-9600

USSN 10/644,506

7